

Ordinance



City Council
City of Wilmington
North Carolina

Introduced By: Sterling B. Cheatham, City Manager

Date: 6/4/2013

Ordinance Amending the Land Development Code, Chapter 18, Article 6, Division III, Section 18-341(d)(5) to Re-insert the Conservation Resource Setback Table (LDC-9-513)

LEGISLATIVE INTENT/PURPOSE:

WHEREAS, NCGS Section 160A-385 authorizes local governments to amend ordinances regulating land use within their jurisdiction; and

WHEREAS, the amendment set out below is made in accordance with NCGS Section 160A-364 and Article 3, Section 18-117 of the Land Development Code; and

WHEREAS, the amendment set out below is intended to promote the public health, safety, and welfare by amending the Land Development Code to re-insert a Conservation Resource Setback Table.

THEREFORE, BE IT ORDAINED:

SECTION 1: Chapter 18, Article 6, Division III, Section 18-341(d)(5) of the Wilmington City Code is hereby amended by appending the conservation resource setback table to read as follows:

h. CONSERVATION RESOURCE SETBACK TABLE

Conservation Resource	Setback Distance in Feet from Edge of Resource	
	Residential	Nonresidential
Headwater Swamp/Swamp Forest	25	50
Pocosin	25	50
Savannah	25	50
Natural Pond	50	50
Fresh Marsh	50	50
Brackish/Salt Marsh	75	100
Primary Nursery Area	75	100
Animal and Plant (Natural) Areas of Special Significance	75	100

CERTIFIED TO BE A TRUE COPY
Heldge Spier-Sidbury
CITY CLERK

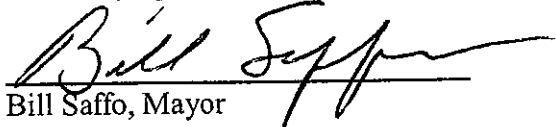
SECTION 2. That any person violating the provisions of this ordinance shall be subject to the penalties set forth in Article XIV, Section 18-52 of the Land Development Code.

SECTION 3: That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 4: That if any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

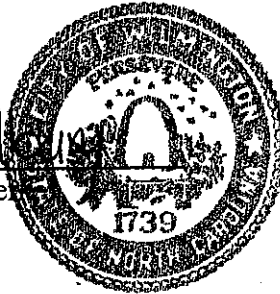
SECTION 5: That this ordinance shall be effective immediately upon its adoption.

Adopted at a regular meeting
on June 4, 2013

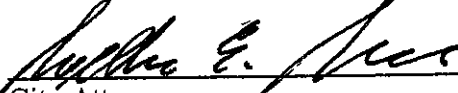

Bill Saffo, Mayor

ATTEST:


Penelope Spicer-Siddons, City Clerk



APPROVED AS TO FORM:


Luther E. Price
City Attorney